



accordance with Rule 26(a)(2) shall be made by Defendants on or before June 1, 2005.

**FILING DISPOSITIVE MOTIONS:** The deadline to file any dispositive motions (including motions for summary judgment) shall be October 17, 2005.

**TRIAL DATES:**

Trial: Monday, February 27, 2006, at 9:30 a.m. in courtroom no. 4.

Pretrial Conference: A pretrial conference is set for Friday, February 17, 2006, at 9:00 a.m.

Pretrial Order: The pretrial order is due by no later than 4:30 p.m. on Friday, February 10, 2006.

**OTHER RELEVANT MATTERS:**

No depositions may be scheduled to occur after the discovery cutoff date. All motions, request for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion

is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

Pursuant to Defendants' Motion to Strike Jury Demand, filed on November 23, 2004, the parties dispute whether the right to a jury trial exists in this matter. The parties anticipate that a either a jury or non-jury trial would last 2-3 days.

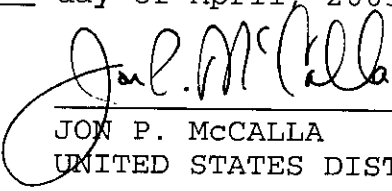
The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the Court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

This order has been entered after motion of the Plaintiff, which was agreed to by counsel for the Defendants. Absent good cause shown, the scheduling dates set by this order shall not be modified or extended.

So ORDERED this 26 day of April, 2005.

  
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JON P. McCALLA  
UNITED STATES DISTRICT JUDGE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 46 in case 2:04-CV-02576 was distributed by fax, mail, or direct printing on April 27, 2005 to the parties listed.

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Honorable Jon McCalla  
US DISTRICT COURT